THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 7154 of 2003

Oral order:

Assailing the action of the respondents in disconnecting the Electricity Connection S.C. No.1440-CAT-I and 774/CAT-II, provided to the house of the petitioner, situated in Charla village and Mandal, Khammam District, and calling upon the petitioner to pay an amount of Rs.22,415/-, as demanded in the bill dated 26.03.2003, the petitioner filed the present writ petition.

On 22.04.2003, the learned Standing Counsel for the respondents took notice and sought time to get instructions, and this Court while directing the matter to be listed on 29.04.2003, directed restoration of power supply to the petitioner subject to the petitioner paying Rs.12,000/-. Accordingly, the petitioner deposited the amount and the respondents restored power supply to the petitioner.

On 29.04.2003, this Court admitted the writ petition. Thereafter, the matter was listed on 25.07.2007. Since then, though the writ petition was adjourned on three occasions i.e. on 01.08.2007, 08.08.2007 and 22.08.2007, to enable the respondents file their counter, till date no counter. The attitude of the respondents in not filing counter despite granting sufficient time, indicates that the respondents have no case to defend. Therefore, taking the averments made by the petitioner in the affidavit filed in support of the writ petition to be true and correct,

I deem it appropriate to allow the writ petition.

Accordingly, the writ petition is allowed. Since the respondents have already restored power supply to the premises of the petitioner, they shall refund the amount of Rs.12,000/- paid by the petitioner in pursuance of the directions of this Court. No costs.

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N.V. RAMANA, J.

Dated: 29th August, 2007
KSR